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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/591,496	09/01/2006	Alain Rhelimi	09669/093001	1844

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EXAMINER

DOAN, TRANG T

ART UNIT	PAPER NUMBER
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2431

NOTIFICATION DATE	DELIVERY MODE
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04/08/2010

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/591,496	Applicant(s) RHELIMI ET AL.	
	Examiner TRANG DOAN	Art Unit 2431	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period **will** apply and **will** expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply **will**, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 November 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 November 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to the amendment filed on 11/19/2009.
2. Claims 1, 3-4, 7, 10-12, 14-15, and 18-21 have been amended.
3. Claims 1-21 are pending for consideration.

Continued Examination Under 37 CFR 1.114

4. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/19/2009 has been entered.

Response to Arguments

5. Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or
- (2) a patent granted on an application for patent by another filed in the United States before

Art Unit: 2431

the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1, 4, 13-14, and 20-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Gewirtz et al. (US 2004/0230975) (hereinafter Gewirtz).

Regarding claim 1, Gewirtz discloses a retrievable token comprising: at least one physical channel of communication to at least one apparatus (Gewirtz: paragraph 0016: a microprocessor 10 within a typical computer system 12); a first logical channel associated with the at least one physical channel, wherein the first logical channel is associated with a first protocol stack and a first execution environment on the retrievable token (Gewirtz: paragraph 0017: an instruction execution element 24...capable of executing either a single thread or a plurality of thread simultaneously and paragraph 0018: two threads 30 and 32 are running concurrently within an execution element 24 of an out of order microprocessor); and a second logical channel associated with the at least one physical channel, wherein the second logical channel is associated with a second protocol stack and a second execution environment on the retrievable token (Gewirtz: paragraph 0018: two threads 30 and 32 are running concurrently within an execution element 24 of an out of order microprocessor), wherein the retrievable token is configured to concurrently execute the first execution environment and the second execution environment (Gewirtz: paragraph 0018: two threads 30 and 32 are running concurrently within an execution element 24 of an out of order microprocessor), and wherein executing the first execution

Art Unit: 2431

environment comprises executing the first protocol stack and executing the second execution environment comprises executing the second protocol stack (Gewirtz: paragraph 0020).

Regarding claim 4, Gewirtz further discloses wherein the at least one apparatus is a personal computer (Gewirtz: paragraph 0016).

Regarding claim 13, Gewirtz further discloses wherein said retrievable token includes at least two physical channels and at least one of said physical channels is independent from the other(s) (Gewirtz: paragraph 0017).

Regarding claim 14, Gewirtz further discloses wherein said retrievable token comprises a first application and a second application, wherein the retrievable token is configured to execute the first application in the first execution environment and the second application in the second execution environment, and wherein said retrievable token comprises a resource that is shared between the first application and the second application (Gewirtz: paragraph 0018).

Regarding claim 20, Gewirtz further discloses wherein the retrievable token is configured to execute the first application and the second application simultaneously (Gewirtz: paragraph 0023).

Art Unit: 2431

Regarding claim 21, Gewirtz further discloses wherein the retrievable token is configured to implement a communication protocol between the first application and the second application, wherein the communication protocol enables secure sharing of data and/or functions between the first application and the second application (Gewirtz: paragraph 0018).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 2-3 and 6-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gewirtz in view of Nagamasa et al (US 20040177215) (hereinafter Nagamasa).

Regarding claim 2, Gewirtz does not disclose wherein the retrievable token is a Multi Media Memory card. However, Nagamasa discloses wherein the retrievable token is a Multi Media Memory card (Nagamasa: paragraph 0042). Therefore, it would have been obvious to a person skilled in the art at the time the invention was made to have included in Gewirtz the feature of Nagamasa as discussed above because in order to realize the full range of benefits offered by the advanced smart card operating environment, inter-application functionality

Art Unit: 2431

and communication must be facilitated. That is, one application must be able to call another application during a session. Further, applications must be able to securely communicate to another within the smart card operating environment.

Regarding claim 3, Gewirtz in view of Nagamasa further discloses wherein the at least one apparatus is a mobile communication handset (Nagamasa: paragraph 0042).

Regarding claim 6, Gewirtz in view of Nagamasa further discloses wherein said at least one physical channel of communication is configured to use SPI protocol (Nagamasa: paragraph 0061).

Regarding claim 7, Gewirtz in view of Nagamasa further discloses wherein said at least one physical channel of communication is configured to use MMC protocol (Nagamasa: paragraph 0042).

Regarding claim 8, Gewirtz in view of Nagamasa further discloses wherein said at least one physical channel of communication is configured to use a protocol for contactless smart card (Nagamasa: paragraph 0001: flash memory).

Regarding claim 9, Gewirtz in view of Nagamasa further discloses wherein the protocol of communication is defined in the ISO (FCD) 15693 (Nagamasa: paragraph 0046).

Regarding claim 10, Gewirtz in view of Nagamasa further discloses wherein the protocol is defined in the ISO 14443 (Nagamasa: paragraph 0051).

Regarding claim 11, Gewirtz in view of Nagamasa further discloses wherein said at least one physical channel is configured to use at least one protocol defined in the TS 102.221 standard (Nagamasa: paragraph 0109).

Regarding claim 12, Gewirtz in view of Nagamasa further discloses wherein said at least one physical channel is configured to use at least one protocol defined in the ISO 7816 standard (Nagamasa: paragraph 0094).

10. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gewirtz in view of Fruhauf et al (US 6883715) (hereinafter Fruhauf).

Regarding claim 5, Gewirtz does not disclose wherein said at least one physical channel of communication is configured to use USB protocol. However, Fruhauf discloses wherein said at least one physical channel of communication is configured to use USB protocol (Fruhauf: column 8, lines 22-33). Therefore, it would have been obvious to a person skilled art at the time the invention was made to have included in Gewirtz the feature of Fruhauf as discussed above to provide an integrated circuit which can selectively operate in accordance with more than one protocol (Fruhauf: column 4, lines 6-9).

11. Claims 15-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gewirtz in view of Wilkinson et al. (US 20030023954) (hereinafter Wilkinson).

Regarding claim 15, Gewirtz does not disclose wherein the retrievable token comprises an access condition list (ACL) and said resource is shared by the first application and the second application on the basis of said access condition list (ACL). However, Wilkinson discloses wherein the retrievable token comprises an access condition list (ACL) and said resource is shared by the first application and the second application on the basis of said access condition list (ACL) (Wilkinson: paragraphs 0125-0129). Therefore, it would have been obvious to a person skilled art at the time the invention was made to have included in Gewirtz the feature of Wilkinson as discussed above because the access control list furnishes an indication of types of access to be granted to the identity, and based on the access control list, the processor selectively grants specific types of access (Wilkinson: paragraph 0024)

Regarding claim 16, Gewirtz in view of Wilkinson further discloses wherein the resource is a shared file, and wherein said access conditions of the access conditions list (ACL) associates respective applications with respective operations on the shared file thereby authorizing said respective applications to

Art Unit: 2431

perform said respective operations on the shared file (Wilkinson: paragraphs 0117 and 0132).

Regarding claim 17, Gewirtz in view of Wilkinson further discloses wherein the resource is a shared object on which data is written in a "first in first out" (FIFO) manner and wherein access conditions are defined in the access conditions list (ACL) associating respective applications with respective operations on the shared object thereby authorizing said respective applications to perform said respective operations on the shared object (Wilkinson: paragraphs 0128 and 0129).

Regarding claim 18, Gewirtz in view of Wilkinson further discloses wherein the retrievable token stores and runs an operating system which is common to the first application and the second application and wherein the resource is a shared function that is implemented by the operating system and for which access conditions are defined in the access conditions list (ACL) which specify respective rights of the applications to invoke said shared function (Wilkinson: paragraphs 0117 and 0128-0129).

Regarding claim 19, Gewirtz in view of Wilkinson further discloses wherein the first application is configured to share a function with the second application by allowing the second application to invoke the function and where access

Art Unit: 2431

conditions list (ACL) are defined in the retrievable token for the second application to access the shared function (Wilkinson: paragraphs 0128-0129).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TRANG DOAN whose telephone number is (571)272-0740. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William R. Korzuch can be reached on (571) 272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Trang Doan/
Examiner, Art Unit 2431

/William R. Korzuch/
Supervisory Patent Examiner, Art Unit 2431

